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Franz Steimer

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EXAMINER

TAYLOR, BARRY W

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/593,428

Applicant(s)

STEIMER ET AL.

Examiner

BARRY TAYLOR

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The amendment to the specification filed 5/9/2011 (paper dated 5/9/2011 at page 2) has been approved and entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 25 and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Bosik et al (7,046,783 hereinafter Bosik).

Regarding claim 25. Bosik teaches a device for cost-effective redirecting of calls, comprising:

a cradle for a mobile radio communications network terminal having integrated switchover function, which is located at the location of the home and/or the partner number (title, abstract, col. 1 lines 20-57, col. 2 line 8 - col. 4 line 32),

wherein the cradle has in its storage depression a first switch element, which is activated both by setting down and by removing the mobile radio communications network terminal, assigned to the cradle, of second subscriber, and a previously stored service telephone number is activated and triggered when the mobile radio

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communications network terminal is hung up, which in turn activates a service that redirects all calls destined for the mobile radio communications network terminal to the fixed network terminal that is registered as home or partner number and to which the cradle is assigned; and, after removal of the mobile radio communications network terminal from the storage device and the attendant renewed actuation of the switch element, the switchover function is canceled again via the service telephone number triggered thereby (title, abstract, col. 1 lines 20-57, col. 2 line 8 - col. 4 line 32).

Regarding claim 27. Bosik teaches second switch element, which, after manual actuation by the second subscriber, triggers a direct and non-delayed calling of the programmed service telephone number for deactivation of the call redirecting, so that an immediate, mobile reachability of the mobile radio communications network terminal of the second subscriber is given (title, abstract, col. 1 lines 20-57, col. 2 line 8 - col. 4 line 32).

Regarding claim 28. Bosik teaches wherein the cradle has the form of the charge cradle of a mobile radio communications network terminal (see charging pin in abstract used to charge mobile phone when it is setting in cradle, see charging PIN(S) item 725 in figure 4, col. 1 lines 35-45, col. 2 line 56 - col. 3 line 26).

Regarding claim 29. Bosik teaches wherein, in addition to the integrated switchover function, the cradle simultaneously has a charging function for a mobile radio communications network terminal (see charging pin in abstract used to charge mobile phone when it is setting in cradle, see charging PIN(S) item 725 in figure 4, col. 1 lines 35-45, col. 2 line 56 - col. 3 line 26)..

Regarding claim 30. Bosik teaches wherein display elements, which indicate the current reachability of the second subscriber, on one of the utilized fixed network line and the radio communications network line, are disposed in a visible area of the device (see bottom right side of figure 4).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 26 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosik et al (7,046,783 hereinafter Bosik) in view of Jarrett (6,950,674).

Regarding claim 26. Bosik does not show wherein the first switch element is configured as mechanically actuated time switch contact, which triggers the switchover

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function with a time delay following actuation by removal of a mobile radio communications network terminal from the cradle.

Jarrett also teaches using a cradle to detect if mobile is setting down or lifted off the charging cradle (col. 5 lines 15-37, col. 6 lines 20-25, col. 6 line 63 – col. 7 line 15, col. 7 lines 29-40, col. 7 line 65 – col. 8 line 43, col. 8 line 44 – col. 9 line 38). Jarrett teaches mechanically actuated time switch contact, which triggers call-forwarding with a delay time following activation of removal of a mobile terminal from the cradle (col. 7 lines 16-29, col. 8 lines 48-50).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call-forwarding cradle as taught by Bosik to incorporate the mechanically actuated time switch contact as taught by Jarrett in order to avoid the possibility of accidental activation or de-activation of call-forwarding as disclose by Jarrett.

Regarding claim 32. Bosik does not explicitly show wherein the device is configured as wireless terminal according to the DECT/GAP standard.

Jarrett also teaches using a cradle to detect if mobile is setting down or lifted off the charging cradle (col. 5 lines 15-37, col. 6 lines 20-25, col. 6 line 63 – col. 7 line 15, col. 7 lines 29-40, col. 7 line 65 – col. 8 line 43, col. 8 line 44 – col. 9 line 38). Jarrett teaches mechanically actuated time switch contact, which triggers call-forwarding with a delay time following activation of removal of a mobile terminal from the cradle (col. 7 lines 16-29, col. 8 lines 48-50). Jarrett teaches using DECT standard (col. 5 line 15 - col. 6 line 5, col. 7 line 65 - col. 8 line 11).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call-forwarding cradle as taught by Bosik to incorporate DECT standard as taught by Jarrett in order to forward incoming telephone calls to cordless phone operating in DECT standard as disclosed by Jarrett.

Regarding claim 33. Bosik does not show wherein the device is connected to an analog network termination device or to a digital network termination device of the fixed network terminal registered as home number or partner number, according to an assignment of a respective fixed network terminal.

Jarrett also teaches using a cradle to detect if mobile is setting down or lifted off the charging cradle (col. 5 lines 15-37, col. 6 lines 20-25, col. 6 line 63 – col. 7 line 15, col. 7 lines 29-40, col. 7 line 65 – col. 8 line 43, col. 8 line 44 – col. 9 line 38). Jarrett teaches mechanically actuated time switch contact, which triggers call-forwarding with a delay time following activation of removal of a mobile terminal from the cradle (col. 7 lines 16-29, col. 8 lines 48-50). Jarrett teaches using DECT standard (col. 5 line 15 - col. 6 line 5, col. 7 line 65 - col. 8 line 11). In addition to digital standards, analogue embodiments of prior art are also possible (col. 5 lines 60-65).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call-forwarding cradle as taught by Bosik to incorporate DECT or Analogue standards as taught by Jarrett in order to forward incoming telephone calls to cordless phone operating in DECT standard or forward incoming calls to POTS devices operating in Analogue standard as disclosed by Jarrett.

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4. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bosik et al (7,046,783 hereinafter Bosik) in view of Labrique et al (2002/0026317 hereinafter Labrique).

Regarding claim 31. Bosik does not show an integrated loudspeaker, which outputs an announcement acknowledging the respective switchover.

Labrique teaches announcing confirmation of changes to a user profile made by the user (see paragraph 0047 wherein a first announcement section in which the type of change made is confirmed, **“Your calls will be forwarded”** or **“You entered a filter for the following directory numbers”**, and a second which confirms the content of the change made i.e., **in the case of call diversion or forwarding**, the relevant destination: **“to your mobile telephone!”** or “to your answer machine”, and when a series of call numbers for a call number filter are input, all the input call numbers are output for checking).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Bosik to use announcements as taught by Labrique in order to allow the user to confirm that calls will be forwarded to your mobile phone.

5. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bosik et al (7,046,783 hereinafter Bosik) in view of Gossman (2001/0043570).

Regarding claim 36. Bosik does not show wherein display elements are light-emitting diodes.

Gossman teaches using LEDs for visually signaling an activated call diversion (see paragraphs 0008, 0017 wherein a visual signaling for example, via a winking light-



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emitting diode which does not go unnoticed when a call diversion is activated, provides that the respective subscriber is reliably informed and this visual signaling can easily be realized with the customary circuits).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Bosik to use LEDs as taught by Gossman in order to provide an inexpensive means to inform subscribers that a call diversion is activated as disclosed by Gossman.

6. Claims 18-20 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al (2003/0022660 hereinafter Payne) in view of Chen et al (2004/0247107 hereinafter Chen) further in view of Alloune et al (6,615,034 hereinafter Alloune).

Regarding claim 18. Payne teaches a method for cost-effective redirecting of calls in which, utilizing a service for the call redirection, calls destined for a first terminal of a subscriber are redirected to a second, alternative terminal of the subscriber according to the principle of call redirection, comprising:

following activation of a corresponding call redirection function via a service telephone number, redirecting a call that originates from a terminal of a first subscriber and is destined for a first terminal of a second subscriber, to a second, alternative terminal of the subscriber whenever it is detected that a network-crossing connection setup between the terminal of the first subscriber and the first terminal of the second subscriber is required to establish the desired connection of the first subscriber (Title, abstract, figures 1-3, see paragraphs 0002, 0018-0023 wherein user first activates call

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forwarding by using a redirect service phone number to link mobile phone number with fixed phone number which is the subscribers land-line phone number so that calls to the users mobile phone number can be forwarded to the users land-line phone with the incentive that the calling rate is less costly on the land-line), the call redirection function allowing a call redirection only to a second terminal of the second subscriber that can be assigned to the same communications network as the terminal of the first subscriber from which the call originates, so that, in a successful setup of the connection, the communication between the first subscriber and the second subscriber is conducted exclusively via one communications network, and, in every successful setup of a call, the communication data records generated in connection with the call are recorded and analyzed in the processing system of the billing services to determine the saved network interworking costs, the second subscriber being allocated a freely specifiable portion of the saved network interworking costs once the saved network interworking costs have been determined.

Payne does not explicitly show only call forwarding to the second terminal of the second subscriber that can be assigned to the same communications network as the terminal of the first subscriber from which the call originates, so that, in a successful setup of the connection, the communication between the first subscriber and the second subscriber is conducted exclusively via one communications network.

Chen discloses that CALL FORWARDING is a standard service in telephone networks wherein subscriber tells his service provider that, under certain conditions, if a call cannot be successfully placed to his terminal, it should instead be forwarded to

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another phone. Chen discloses that most wireline networks, wireless networks, and IP networks have mechanisms that are designed to provide these services **and work adequately when the originating system, the user's current terminal, and the destination terminal are all in the same network** (paragraphs 0002-0005). Chen also teaches call-forwarding in an inter-worked network, which is, connected between different types of networks (paragraphs 0005, 0007-0008, 0046, 0059).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call forwarding method as taught by Payne to include standard call forwarding mechanisms as disclosed by Chen in order to only forward calls if both the calling party and called party terminals are all in the same network as disclosed by Chen.

Payne in view of Chen do not explicitly show in every successful setup of a call, the communication data records generated in connection with the call are recorded and analyzed in the processing system of the billing services to determine the saved network interworking costs, the second subscriber being allocated a freely specifiable portion of the saved network interworking costs once the saved network interworking costs have been determined.

However, Payne clearly discloses an incentive for call forwarding to land-line phone is that the calling rate is often less costly on the land-line phones (paragraph 0002) and land-line connections do not have breakage in their connections (paragraph 0002). Therefore, the interworking cost would clearly be reflected in the subscriber's

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telephone bill since incoming calls would be forwarded to land-line verses mobile phone.

Alloune teaches advances the art by providing a single communication billing system that provides interrelated processing at the event level of wireless service events and wireline service events to generate total wireless charge records and total wireline charge records for each wireless and wireline service subscribed to by the customer, such as call transfers, telephone calls, and other similar services (col. 1 line 40 - col. 2 line 14, col. 2 line 15-52). Alloune event teaches cross-contribution (col. 2 lines 33-52, col. 7 line 54 - col. 8 line 27) wherein subscribers telephone bill is credited a freely specifiable portion of the saved network interworking cost (see col. 7 line 54 - col. 8 line 27 wherein **cross-contribution could include the application of a credit for unused wireless service minutes to the total charge record for wireline service**).

It would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the call forwarding method as taught by Payne in view of Chen to incorporate cross-contributing billing as disclosed by Alloune in order to credit a subscribers land-line telephone bill with the saved wireless air-time minutes when incoming calls to a mobile phone are redirected to a nearby land-line telephone.

Regarding claim 19. Payne does not explicitly show, if the redirection function is activated, a call that originates from a fixed network terminal of the first subscriber and is destined for a radio communications network telephone number of the second subscriber, is redirected to a fixed network telephone number of the second subscriber,

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so that, in a successful setup of the connection, the communication between the first subscriber and the second subscriber is conducted exclusively via the fixed network.

Chen discloses that CALL FORWARDING is a standard service in telephone networks wherein subscriber tells his service provider that, under certain conditions, if a call cannot be successfully placed to his terminal, it should instead be forwarded to another phone. Chen discloses that most wireline networks, wireless networks, and IP networks have mechanisms that are designed to provide these services **and work adequately when the originating system, the user's current terminal, and the destination terminal are all in the same network** (paragraphs 0002-0005). Chen also teaches call-forwarding in an inter-worked network, which is, connected between different types of networks (paragraphs 0005, 0007-0008, 0046, 0059).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call forwarding method as taught by Payne to include standard call forwarding mechanisms as disclosed by Chen in order to only forward calls if both the calling party and called party terminals are all in the same network as disclosed by Chen.

Regarding claim 20. Payne does not show if the redirection function is activated, a call that originates from a radio communications network terminal of the first subscriber and is destined for a fixed network telephone number of the second subscriber, is redirected to a radio communications network telephone number of the second subscriber, so that, in a successful setup of the connection, the communication

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between the first subscriber and the second subscriber is conducted exclusively via the radio communications network.

Chen discloses that CALL FORWARDING is a standard service in telephone networks wherein subscriber tells his service provider that, under certain conditions, if a call cannot be successfully placed to his terminal, it should instead be forwarded to another phone. Chen discloses that most wireline networks, wireless networks, and IP networks have mechanisms that are designed to provide these services **and work adequately when the originating system, the user's current terminal, and the destination terminal are all in the same network** (paragraphs 0002-0005). Chen also teaches call-forwarding in an inter-worked network, which is, connected between different types of networks (paragraphs 0005, 0007-0008, 0046, 0059).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call forwarding method as taught by Payne to include standard call forwarding mechanisms as disclosed by Chen in order to only forward calls if both the calling party and called party terminals are all in the same network as disclosed by Chen.

Regarding claim 35. Payne in view of Chen do not explicitly show wherein the freely specifiable portion of the saved network interworking costs is a credit to a telephone bill of the second subscriber.

However, Payne clearly discloses an incentive for call forwarding to land-line phone is that the calling rate is often less costly on the land-line phones (paragraph 0002) and land-line connections do not have breakage in their connections (paragraph

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0002). Therefore, the interworking cost would clearly be reflected in the subscriber's telephone bill since incoming calls would be forwarded to land-line versus mobile phone.

Alloune teaches advances the art by providing a single communication billing system that provides interrelated processing at the event level of wireless service events and wireline service events to generate total wireless charge records and total wireline charge records for each wireless and wireline service subscribed to by the customer, such as call transfers, telephone calls, and other similar services (col. 1 line 40 - col. 2 line 14, col. 2 line 15-52). Alloune event teaches cross-contribution (col. 2 lines 33-52, col. 7 line 54 - col. 8 line 27) wherein subscribers telephone bill is credited a freely specifiable portion of the saved network interworking cost (see col. 7 line 54 - col. 8 line 27 wherein **cross-contribution could include the application of a credit for unused wireless service minutes to the total charge record for wireline service**).

It would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the call forwarding method as taught by Payne in view of Chen to incorporate cross-contributing billing as disclosed by Alloune in order to credit a subscribers land-line telephone bill with the saved wireless air-time minutes when incoming calls to a mobile phone are redirected to a nearby land-line telephone.

7. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al (2003/0022660 hereinafter Payne) in view of Chen et al (2004/0247107 hereinafter Chen) and Alloune et al (6,615,034 hereinafter Alloune) further in view of Russell (2010/0240343).

Regarding claim 21. Payne in view of Chen and Alloune do not explicitly show implementing the registration for the service via a user dialogue with the dialogue system of the service platform using a service telephone number, the second subscriber providing the dialogue system with at least one of his radio communications network telephone numbers and at least one of his fixed network telephone numbers, and the two telephone numbers are interlinked following a PIN-based authorization check of the second subscriber and entered as valid on a service platform assigned to the service, the fixed network telephone number being entered as home number.

Russell teaches call forwarding (title, abstract) wherein PIN-based authorization is used in order to allow users to gain access to a menu, where the user can change call forwarding numbers (paragraphs 0003-0005). Russell also teaches call forwarding to another device when mobile phone is nearby a land-line phone (paragraphs 0017, 0024).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call-forwarding as taught by Payne in view of Chen and Alloune to use PIN-based authorization as taught by Russell in order to provide a means for subscribers to access a menu, where they can change their call forwarding numbers.

Regarding claim 22. Payne in view of Chen and Alloune do not show after detecting a valid PIN, offering the second subscriber the registration of at least one second fixed network telephone number, which is configured as alternative partner number to the home number; and, after acceptance of the offer, linking the partner



number with the already stored radio communications network number and the home number and is stored on the service platform assigned to the service.

Russell teaches call forwarding (title, abstract) wherein PIN-based authorization is used in order to allow users to gain access to a menu, where the user can change call forwarding numbers (paragraphs 0003-0005). Russell also teaches call forwarding to another device when mobile phone is nearby a land-line phone (paragraphs 0017, 0024).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call-forwarding as taught by Payne in view of Chen and Alloune to use PIN-based authorization as taught by Russell in order to provide a means for subscribers to access a menu, where they can change their call forwarding numbers.

8. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al (2003/0022660 hereinafter Payne) in view of Chen et al (2004/0247107 hereinafter Chen) and Alloune et al (6,615,034 hereinafter Alloune) further in view of Bosik et al (7,046,783 hereinafter Bosik).

Regarding claim 23. Payne teaches wherein service telephone numbers are used to activate the service, and the source telephone number of the calling second subscriber is determined after a service telephone number has been dialed by the second subscriber, and, following identification of the source telephone number as radio communications network telephone number, home number or partner number registered for the service, a status, assigned to the respective service telephone number, for the call redirection is set on the service platform, and all further calls from

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the fixed network that are destined for the assigned radio communications network telephone number, are redirected to the home number or partner number defined by the status, until the current status changes (abstract, paragraphs 0002, 0017-20, 0022-0023).

However, Payne in view of Chen and Alloune do not explicitly show using status when determining where incoming call is to be forwarded.

Bosik teaches setting a status on the service platform to indicate if call-forwarding is to be activated/de-activated (abstract, col. 1 lines 21-44, col. 2 line 13 - col. 4 line 32).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify call forwarding as taught by Payne in view of Chen and Alloune to set a status on a service platform as taught by Bosik in order to provide a means to activate/de-activate call-forwarding as disclosed by Bosik.

Regarding claim 24. Payne in view of Chen and Alloune do not show if the service is activated, after dialing a radio communications network telephone number of the second subscriber, redirecting the call originating from a fixed network terminal of a first subscriber to the fixed network terminal, defined by the current status, of the second subscriber, wherein redirecting takes place only if the call is coming from a fixed network provided for this service and if the source number and the redirection number are not identical with the redirection target; and, if the service is not activated, the incoming call is redirected to the radio communications network telephone number of the second subscriber dialed by the first subscriber.

Bosik teaches setting a status on the service platform to indicate if call-forwarding is to be activated/de-activated (abstract, col. 1 lines 21-44, col. 2 line 13 - col. 4 line 32).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify call forwarding as taught by Payne in view of Chen and Alloune to set a status on a service platform as taught by Bosik in order to provide a means to activate/de-activate call-forwarding as disclosed by Bosik.

9. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Link, II, et al (2003/0181202 hereinafter Link).

Regarding claim 34. Link teaches a device for cost-effective redirecting of calls, comprising: a detector having a switch function assigned to a designated fixed network terminal of a second subscriber and able to detect a mobile radio communications network terminal, adapted thereto, of the second subscriber within a range of up to 30 meters, and, upon detecting the designated mobile radio communications network terminal of the second subscriber, the switch function linked to the detector is triggered automatically, the switch function accordingly activating a previously stored service telephone number, which triggers the redirecting of a call that is destined for the mobile radio communications network terminal and originates from a fixed network terminal of the first subscriber, to the fixed network terminal of the second subscriber to which the detector is assigned; and the removal of the mobile radio communications network terminal of the second subscriber from the action range of the detector triggers renewed activation of the service telephone number, which revokes the redirection again, so that

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all calls destined for the mobile radio communications network terminal of the second subscriber are once again forwarded to the designated mobile radio communications network terminal (see abstract, paragraph 0005 wherein to save air-time charges, incoming calls to cell phone are redirected to land-line phone, see paragraphs 0006-0014, 0048 wherein charge cradle used to forward incoming calls directed to mobile phone to nearby landline phone, see paragraph 0018 wherein short-range used to forward incoming calls, see paragraphs 0035-0037 wherein automatic telephone service forwarding device detects if mobile is inserted or removed from socket of charging cradle and then forwards incoming calls).

Link discloses that the charging cradle may be replaced by a wireless data link to forward calls (paragraph 0038).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the charging cradle as taught by Link to employ short-range link as taught by Link in order to detect the location of the mobile phone so that incoming calls directed to the mobile phone can be forwarded to nearby charging cradle located at user's home or office.

### ***Response to Arguments***

10. Applicant's arguments filed 5/9/2011 have been fully considered but they are not persuasive.

a) Applicants argue that Bosik does not teach “and, after removal of the mobile radio communications network terminal from the storage device **and** the attendant renewed actuation of the switch element, the switchover function is canceled again via

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the service telephone number triggered thereby" (paper dated 5/9/2011 page 8 – page 9).

The Examiner notes that Applicants specification does not require both cradle and the attendant renewed actuation of the switch element. Instead, the specification teaches the cradle having a switch element in the storage depression, which is triggered by the mobile phone being placed into the storage depression (see Pub. No.: US 2008/0167023 at paragraph 0032) **or** an additional, manually switch may be used (see Pub. No.: US 2008/0167023 at paragraph 0081).

Furthermore, Bosik also teaches the cradle has a programmable module/unit that is programmed by the subscriber via manually (col. 5 lines 27-44) pressing buttons (col. 6 lines 4-9).

b) Applicants argue that neither Bosik nor Jarrett teach switchover with a time delay (paper dated 5/9/2011, page 9).

Bosik does not show wherein the first switch element is configured as mechanically actuated time switch contact, which triggers the switchover function with a time delay following actuation by removal of a mobile radio communications network terminal from the cradle.

Jarrett also teaches using a cradle to detect if mobile is setting down or lifted off the charging cradle (col. 5 lines 15-37, col. 6 lines 20-25, col. 6 line 63 – col. 7 line 15, col. 7 lines 29-40, col. 7 line 65 – col. 8 line 43, col. 8 line 44 – col. 9 line 38). **Jarrett teaches mechanically actuated time switch contact, which triggers call-**

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**forwarding with a delay time following activation of removal of a mobile terminal from the cradle (col. 7 lines 16-29, col. 8 lines 48-50).**

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the call-forwarding cradle as taught by Bosik to incorporate the mechanically actuated time switch contact as taught by Jarrett in order to avoid the possibility of accidental activation or de-activation of call-forwarding as disclose by Jarrett.

c) Applicants argue that Labrique reference does not teach an integrated loudspeaker, which outputs an announcement acknowledging the respective switchover (paper dated 5/9/2011, top page 10).

The Examiner disagrees. Labrique teaches announcing confirmation of changes to a user profile made by the user (see paragraph 0047 wherein a first announcement section in which the type of change made is confirmed, **"Your calls will be forwarded"** or **"You entered a filter for the following directory numbers"**, and a second which confirms the content of the change made i.e., **in the case of call diversion or forwarding**, the relevant destination: **"to your mobile telephone!"** or "to your answer machine", and when a series of call numbers for a call number filter are input, all the input call numbers are output for checking).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Bosik to use announcements as taught by Labrique in order to allow the user to confirm that calls will be forwarded to your mobile phone.

d) Applicants argue that Bosik in view of Gossman do not teach activation of a service that redirects all calls destined for the mobile phone to a fixed terminal (paper dated 5/9/2011, middle page 10).

The Examiner disagrees. Bosik does not show wherein display elements are light-emitting diodes.

Gossman teaches using LEDs for visually signaling an activated call diversion (see paragraphs 0008, 0017 wherein a visual signaling for example, via a winking light-emitting diode which does not go unnoticed when a call diversion is activated, provides that the respective subscriber is reliably informed and this visual signaling can easily be realized with the customary circuits).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Bosik to use LEDs as taught by Gossman in order to provide an inexpensive means to inform subscribers that a call diversion is activated as disclosed by Gossman.

e) Applicants argue that Payne, Chen and Alloune references do not teach "in every successful setup of a call, the communication data records generated in connection with the call are recorded and analyzed in the processing system of the billing services to determine the saved network interworking costs, the second subscriber being allocated a freely specifiable portion of the saved network interworking costs once the saved network interworking costs have been determined" (paper dated 5/9/2011 bottom page 10 – page 11).

The Examiner disagrees. Payne in view of Chen do not explicitly show in every successful setup of a call, the communication data records generated in connection with the call are recorded and analyzed in the processing system of the billing services to determine the saved network interworking costs, the second subscriber being allocated a freely specifiable portion of the saved network interworking costs once the saved network interworking costs have been determined.

However, Payne clearly discloses an incentive for call forwarding to land-line phone is that the calling rate is often less costly on the land-line phones (paragraph 0002) and land-line connections do not have breakage in their connections (paragraph 0002). Therefore, the interworking cost would clearly be reflected in the subscriber's telephone bill since incoming calls would be forwarded to land-line verses mobile phone.

Alloune teaches advances the art by providing a single communication billing system that provides interrelated processing at the event level of wireless service events and wireline service events to generate total wireless charge records and total wireline charge records for each wireless and wireline service subscribed to by the customer, such as call transfers, telephone calls, and other similar services (col. 1 line 40 - col. 2 line 14, col. 2 line 15-52). Alloune event teaches cross-contribution (col. 2 lines 33-52, col. 7 line 54 - col. 8 line 27) wherein subscribers telephone bill is credited a freely specifiable portion of the saved network interworking cost (see col. 7 line 54 - col. 8 line 27 wherein **cross-contribution could include the application of a credit for unused wireless service minutes to the total charge record for wireline service**).



It would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the call forwarding method as taught by Payne in view of Chen to incorporate cross-contributing billing as disclosed by Alloune in order to credit a subscribers land-line telephone bill with the saved wireless air-time minutes when incoming calls to a mobile phone are redirected to a nearby land-line telephone.

f) Applicants argue that the Russell reference is not a proper prior art reference in that it was filed after the present application was filed (paper dated 5/9/2011, top page 12).

The Examiner disagrees. The Russell reference is actually a continuation of application 10/668,617 filed on Sep. 23, 2003 which is well before the present application.

g) Applicants argue that Bosik does not cure the deficiencies of Payne in view of Chen and Alloune do not show (paper dated 5/9/2011, bottom page 12).

The Examiner disagrees. Payne in view of Chen and Alloune do not explicitly show using status when determining where incoming call is to be forwarded.

Bosik teaches setting a status on the service platform to indicate if call-forwarding is to be activated/de-activated (abstract, col. 1 lines 21-44, col. 2 line 13 - col. 4 line 32).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify call forwarding as taught by Payne in view of Chen and Alloune to set a status on a service platform as taught by Bosik in order to provide a means to activate/de-activate call-forwarding as disclosed by Bosik.

h) Applicants argue that Link, II does not teach the claim limitations of claim 34 (paper dated 5/9/2011, page 12 – page 13).

The Examiner disagrees. Link teaches a device for cost-effective redirecting of calls, comprising: a detector having a switch function assigned to a designated fixed network terminal of a second subscriber and able to detect a mobile radio communications network terminal, adapted thereto, of the second subscriber within a range of up to 30 meters, and, upon detecting the designated mobile radio communications network terminal of the second subscriber, the switch function linked to the detector is triggered automatically, the switch function accordingly activating a previously stored service telephone number, which triggers the redirecting of a call that is destined for the mobile radio communications network terminal and originates from a fixed network terminal of the first subscriber, to the fixed network terminal of the second subscriber to which the detector is assigned; and the removal of the mobile radio communications network terminal of the second subscriber from the action range of the detector triggers renewed activation of the service telephone number, which revokes the redirection again, so that all calls destined for the mobile radio communications network terminal of the second subscriber are once again forwarded to the designated mobile radio communications network terminal (see abstract, paragraph 0005 wherein to save air-time charges, incoming calls to cell phone are redirected to land-line phone, see paragraphs 0006-0014, 0048 wherein charge cradle used to forward incoming calls directed to mobile phone to nearby landline phone, see paragraph 0018 wherein short-range used to forward incoming calls, see paragraphs 0035-0037 wherein automatic

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telephone service forwarding device detects if mobile is inserted or removed from socket of charging cradle and then forwards incoming calls).

Link discloses that the charging cradle may be replaced by a wireless data link to forward calls (paragraph 0038).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the charging cradle as taught by Link to employ short-range link as taught by Link in order to detect the location of the mobile phone so that incoming calls directed to the mobile phone can be forwarded to nearby charging cradle located at user's home or office.

### ***Conclusion***

**11. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (571) 272-7509, who is available Monday-Thursday, 6:30am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kent Chang, can be reached at (571) 272-7667. The central facsimile phone number for this group is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Barry W Taylor/

Primary Examiner, Art Unit 2617